

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERT A. PAPWORTH,

Plaintiff,

vs.

STEEL HECTOR & DAVIS,

Defendant.

CIVIL JUDGMENT
5:06-CV-1237

DECISION BY COURT. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

that defendant's motion to dismiss for lack of subject matter jurisdiction is denied; that defendant's motion to dismiss the complaint with respect to the cause of action for fraud occurring prior to October 11, 2000, is granted with prejudice; that defendant's motion to dismiss the complaint with respect to the cause of action for fraud arising from an alleged letter from Wilson Smith to plaintiff on November 16, 2000, is granted without prejudice; that the defendant's motion to dismiss the plaintiff's cause of action for conspiracy is hereby granted with prejudice; and that the defendant's motion to dismiss the plaintiff's complaint as to all other causes of action pursuant to Rule 12(b)(6) is otherwise granted with prejudice. The complaint is dismissed in its entirety.

October 3, 2007
Date

LAWRENCE K. BAERMAN
Clerk

S/
Judi L. Roberts
Deputy Clerk